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RIVER RANCH FRESH FOODS, LLC, et al.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RIVER RANCH FRESH FOODS, LLC, *et al.*,

CASE NO. C 08-01688 PVT

Plaintiffs,

V.

PREMIUM FRESH FARMS, LLC, *et al.*,

Defendants.

ORDER ON JOINT CASE MANAGEMENT CONFERENCE STATEMENT & REQUEST TO CONTINUE CMC

CMC Date: August 18, 2009

CMC Time: 2:00 p.m.

**CMC Place: Ctrm. 5, 4th Floor
San Jose**

Plaintiffs Lancer Marketing (“Lancer”) and Field Fresh Farms, LLC (“Field Fresh Farms”) and Defendants John D. Tamagni (“Tamagni”) and Robert Elliott (“Elliott”) respectfully request that the Case Management Conference and the associated dates be continued for one final time for an additional 30 days.

Plaintiffs River Ranch Fresh Foods, LLC and Vessey and Company, Inc. resolved their claims against Plaintiffs Tamagni and Elliott by dismissing as to these Defendants. [Docket #24]. On May 28, 2009, the remaining Plaintiffs Lancer Marketing and Field Fresh Farms and Defendants Tamagni and Elliott participated in a mediation session before Mediator David Roe,

which was very successful, as the parties believe that they resolved the action. However, they need a little extra time to work out a few details of the settlements, and they expect to file the appropriate paperwork dismissing the action within two weeks.

4 Consequently, the parties respectfully ask the Court's indulgence one final time and ask
5 for a 30 days continuance of the case management conference.

I declare under penalty of perjury under the laws of the United States that the foregoing is
true and correct.

8 | Date: August 13, 2009 RYNN & JANOWSKY, LLP

By: /s/ Marion I. Quesenberry
MARION I. QUESENBERRY
Attorneys for Plaintiffs

11 Date: August 13, 2009 LAW OFFICE OF CLYDE C. PEARCE

By: /s/ Clyde C. Pearce
CLYDE C. PEARCE
Attorney for Defendants John D. Tamagni
and Robert Elliott

I hereby attest that today I e-mailed the above Joint Case Management Conference Statement – Request to Continue CMC to Clyde C. Pearce. After he received it, he gave me permission to sign his name to this document and to e-file it with the Court.

/s/ Marion I. Quesenberry
MARION I. QUESENBERY

IT IS SO ORDERED. The Case Management Conference is continued to
September 29, 2009, at 2:00 p.m., in Courtroom 5, 4th Floor, San Jose.

22 | Date: August 14, 2009

Patricia V. Trumbull
U.S. MAGISTRATE JUDGE